

National Forest Advisory Board (NFAB) Meeting

July 22, 2009

Mystic Ranger District, Rapid City, SD

Members Present:

Tom Blair, Chairman; Sam Brannan, Ev Hoyt, Nancy Kile, Bill Kohlbrand, Pat McElgunn, Bob Paulson, Becci Jo Rowe, Jim Scherrer, Nels Smith, Donovan Sprague, Hugh Thompson, Craig Tieszen, Carson Engelskirger

Forest Service Representatives:

Craig Bobzien, Frank Carroll, Dave Thom, Claudia Hill, Lynn Kolund, Bob Thompson, Tom Willems, Steve Hirtzel and Twila Morris - Recorder

Others:

Approximately 15 members of the public, two Congressional representatives; Chris Blair (Johnson – D, SD), and Rick Hanson (Herseth-Sandlin – D, SD), John Kanta, Brian Jansen, Jeff Vonk, Scott Guffey, and Ron Koth were in attendance.

Members Absent:

Jim Heinert, Doug Hofer, Tom Troxel

Welcome and Roll Call:

Chair Blair: Quorum present, called the meeting to order at 1:01 p.m. Welcome everyone; please turn off your cell phones.

Approve February Minutes:

Blair: Are there any changes to the June minutes? Hearing none, the minutes stand as reported.

Approve the June Agenda:

Blair: Are there any changes to the July Agenda? Hearing none, the agenda stands as presented. Motion to approve the agenda made by Hugh Thompson, second by Bob Paulson, motion carried.

Carroll: We would like to stay flexible with the agenda to meet the needs of the presenters.

Meeting Protocols:

Blair: Anything to add Frank?

Carroll: We received word from the Washington Office that the new administration would like to have this Board re-nominated. They would like this all completed by the end of September. We are looking for a number of alternates on the Board as well, so please nominate folks.

Comments to the Chair:

Carroll: Thanks to the Boxelder Job Corps for the refreshments.

Dennis Jaeger's father-in-law passed away this week. Craig and I attended the funeral.

Today we got an announcement that we received \$200,000 to restore the Friendship Tower. This is part of the ARRA money. This will be formally announced tomorrow, but we have permission to announce it here today. The Friendship Tower is quite a unique resource of the Black Hills so we are grateful for the funding.

I would like to hold a few of the topics from the first of the agenda and start with a presentation by Brian Jansen who has caught 250 Mountain Lions and tagged them. We've asked him to come in along with John Kanta; they will make a presentation about their research.

Bobzien: Welcome everyone, especially welcome new member Craig Tieszen. We have a great agenda, and good speakers coming in, we had to defer some speakers till September. Next months field trip will focus on the Norbeck area. Thanks to all those who traveled from far to be here today.

Dave Thom is here today as the Acting Deputy Forest Supervisor, we'll hear from Dave later on the tornado.

Blair: We have a great turnout today.

Hot Topics

Cook Lake Tornado ~ Dave Thom

Carroll: Our next topic will be the Cook Lake Tornado. We'll have Dave Thom start us off.

Thom: Tornado in Crook County Wyoming on July 13, 2009 at 6:30 p.m. The tornado path is nine and one half miles long. Two current timber sales, the Dean and Hemler contracts will be modified to start harvesting the timber on Friday the 24th, for a total of approximately 670 acres.

Claudia Hill: One major safety concern, a hole caused by an uprooted tree, on the shoulder of a road has been repaired.

Kile: Does the heritage review fit inside of the Environmental review?

Thom: Yes it does.

H.Thompson: Will the remainder of the area to the west be analyzed by the time Nieman is able to complete the work in existing contract areas, so they can continue without a break?

Thom: We may have completed our work, but we have to do the environmental review, at a minimum a decision notice, which requires a 30 day notice and comment period. It could be a 60 to 90 day process. By then as you know, blue stain and wood borers could be in the wood.

H.Thompson: Is a decision notice the most abbreviated process you have?

Smith: In a catastrophic situation like this, is the Forest Service so lacking in emergency authorities, that you'll

miss the one chance you have to salvage this?

Thom: We have authority to deal with health and safety issues, but that's where the emergency ends, it remains urgent, but not an emergency. Our interest is to act quickly, and work with the timber purchasers to remove the timber, but we don't have a way to get the Environmental review and documentation done before that time frame.

Smith: What's the difference between emergency and urgent?

Thom: The National Environmental Policy Act answers that.

Smith: In my view, this is an emergency, the tons and tons per acre that is down out there, equals fuel that will rot, and be a fire hazard.

Thom: Our first priority was to get done what we have the immediate authority to do.

Blair: Couldn't we use this as a template as we go down the road looking for other policy recommendations, that we make recommendations that will help the next time around. It won't help Cook Lake. The wood that is on the ground has a window of 30 to 45 days. Maybe it's an issue that this fall and in the future, we could take a proactive approach in changing the way the Forest Service reacts in a situation like this.

Thom: Great suggestion. We had more of that flexibility in the 90's, but we've lost some of those flexibilities in the last few years.

H.Thompson: The folks I represent, as a member of this Board, the Crook County Representative and State Senators, they would tell you that they encourage the Black Hills National Forest and the Bearlodge folks to really bust their hump, to have the remainder of this ready to go, so that Nieman can keep right on going. Nieman has pulled crews off other sales, and they can't have people sitting around. The folks I represent are really encouraging you to have a smooth flow to keep the crews right on going. Nieman is one of the bigger employers in the Black Hills, so we ought to attempt to play ball with them. I know there are certain time lines that you have to comply with, I agree, Mr. Chairman, that a policy recommendation giving faster authority is appropriate. Craig, I applaud that you will sign the document tomorrow; I just wish you had the authority to sign a document for the whole blow down area.

Thom: We'll work with the District to make sure it goes as fast as it can go.

H.Thompson: Ask for help if you need it with SHPO or anything else. Don't let SHPO take their time.

Thom: Since this is not a normal situation, and we can't get people in to do archeology surveys in a safe manner in many areas, we'll thoroughly evaluate our options.

Smith: With the expertise the Forest Service has in house, you know what is going to happen in terms of no action, and you know what will happen with action. Next fall might be the time to look at administrative and legislative changes, but right now, I move that the Advisory Board advise the Forest Supervisor that:

"We wish that all possible legal efforts to expedite clean up efforts on the blow down area, by existing purchasers and any other available contractors in the Black Hills, be taken".

Scherrer: I second that motion

Scherrer: Craig, I see you shaking your head, do you have comments?

Bobzien: We look at all the existing laws, and that is what Dave talked about. We've lost some of our options regarding expedited procedures. There continues to be public and congressional interest in how we respond to these kinds of natural disturbances. It's a good thing for the Board to bring up.

Scherrer: There are 15 different groups represented here on the Board, and we were put in place specifically for these kinds of things. If we can have this motion passed and put in place for your use. We can assume that it will not change this situation, but it will give you more horse power for the future. I just want to provide you the best that we can give.

Bobzien: The deliberation that goes on afterwards is also important to identify common interests such as you did with the biomass proposal. I respect the motion.

Blair: I would recommend that we put the letter together, and send it forward with copies to the congressional delegations, and the governors. This won't be the last tornado, so it will give us fire power as we move to change a wider scope of policy.

H.Thompson: Send this letter to WY SHPO as well, so that if they are a bottleneck, we can help.

Blair: All in favor of the motion say aye, all opposed nay. Motion carried

Smith: Thank you Mr. Chairman.

Scherrer: What's the plan of action?

Blair: Draft a letter and e-mail it to the Board.

Scherrer: It doesn't have to be long, but it has to be done soon. Get it out so people will see it.

Brannan: Will we discuss policy changing in the future as it relates to catastrophic events?

Blair: As we get into fall, and we have paperwork to do, let's take a portion of this up in the September or October meeting, so it doesn't fall by the way side. In two months you'll have an idea of where we're at with Nieman. We have a field trip in August. We'll know in 60 days if we're able to continue on and where we need to go from there.

H.Thompson: What is the drop off date for when we won't be a Board?

Carroll: End of September. We'll handle it like we did before, we're confident that we'll get the approval before the end of September.

Biomass Letter ~ Craig Bobzien

Bobzien: I want to thank the Board for the letter that was circulated around, and the rapid rate at which the letter was drafted. I received it from Tom; it went up through the channels of the Forest Service, then to the delegation, very good piece of work in a small amount of time. You all did that outside the meeting, and it was difficult, but you did it.

Blair: That's what we've strive for, we can do things, in days not months. E-mail is a wonderful tool. We can get these comments done, and get our message out.

Regular Agenda

Travel Management ~ Frank Carroll

Carroll: To give you an idea of the scope of the comments we've received as a result of the open process we've had with the public. We are now coming to the end of our process; we are in the stages of preparing the final environmental impact statement. I want to give you an idea of the scope of what we are hearing. 1250 responses of those were 651 form letters, but the rest were original responses.

Willems: They asked for more money because of the enormity of the amount of comments. It was interesting to see the difference in comments. Frank said that there were over 1200 responses, and in comparison to the purposed action, we had just over 700 comments, now we have over 4000. We're combining them now into public concerns. We have about 1000 public concern statements that our Team and the Ranger Districts will respond to.

Blair: You mentioned that you had 1200 responses and there were half that were form letters?

Carroll: Interest groups that wanted to make sure they comments were heard.

Blair: Did you see more comments once the time period was extended?

Willems: That's when we get most of the comments.

Carroll: Our goal is to ensure that every response is considered. We are identifying the concerns raised by all commenter's. We also will represent the breadth and depth of the public as best as possible, so we turn this over to a contractor to analyze. We will present those concerns in a way to facilitate the comments. By July 25 we'll have the final products, and those are the products we will respond to.

Willems: This WO team that is doing this for us, the analysis is on the comments, and they are grouping the similar comments. The actual content analysis will be in our comments. We have our four Ranger Districts working with the specialists to develop the responses, and the rest will be done by resource areas etc.

Carroll: As soon as this summary is ready and final, we'll share it with you. The comments are broken into several different categories. We've heard from all sides of the coin in the comment period. We received a long list of specific route requests. You'll get the executive summary in the mail. Many of the documents will be open to the public in other ways.

Scherrer: That is exactly what we asked for, specific comments, it should provide a product, that if both sides are unhappy, you've struck the best deal. I'm happy that we are getting that kind of specificity.

Rowe: The focus has been on some who want more, or want to limit, those who want to limit are a greater percentage but the non-motorized were not considered; we had to step forward and volunteer.

Willems: I believe that you will be pleased with the outcome.

Brannan: Did the Washington group say how many comments were related to what? Do they prioritize the comments so we know which was most commented on?

Willems: You could have one spot that had very specific comments, and other areas that had a general concern. The WO focused more on the concern than the number of concerns.

Brannan: As an Advisory Board, I would like to know more about what the main comments were.

Willems: They do provide emphasis areas; they looked at all the individual comments and grouped them together.

Carroll: They are broken out by comment. You'll see exactly what they are asking about.

Catamounts in the Black Hills ~ Brian Jansen

Carroll: Welcome Brian Jansen who will talk to us about Mountain Lions, and John Kanta with the SD Department of Game, Fish, & Parks.

Bobzien: The Forest Service manages the habitat, and the State manages the wildlife.

Brian Jansen: PHD student at South Dakota State University.

Topics of Discussion:

- Influence of sport harvest
- Dispersal of corridors
- Disease exposure

Questions & Discussion followed.

South Dakota Invasive Species Management Association (SDISMA) ~ Scott Guffey

Carroll: Our next speaker will be Scott Guffey with the Pennington County Weed and Pest Department who will talk to us about invasive species management. We are getting much more organized in the State.

Scott Guffey: Pennington County Weed & Pest Department, and President of the SDISMA.

Topics of Discussion:

- South Dakota Invasive Species Management Association
 - Formed in the spring of 2008
 - www.sisma-sd.org
- Successes
 - Increased funding
 - State & Private Forestry grants
 - Biological control agents
 - Aquatic Nuisance Plan
 - Black Hills Weed Management Coalition
 - Travel Management Plan on the Black Hills
 - Burned Area Emergency Rehabilitation (BAER) Teams

Questions & Discussion followed.

Bobzien: The Rocky Mountain Research Station here at this office is doing research, and there's a great benefit when everyone comes together and shares their knowledge.

Fisheries Update ~ Ron Koth & Steve Hirtzel

Carroll: Welcome Steve Hirtzel and Ron Koth who will talk to us about fisheries and water levels in the Black Hills.

Steve Hirtzel: Fisheries Biologist on the Black Hills National Forest.

Ron Koth: SD Department of Game, Fish, and Parks in the Black Hills.

Topics of Discussion:

- Habitat - improving
- Water levels – up over the past few years, Pactola is full.

Questions & Discussion followed.

August Field Trip ~ Frank Carroll & Lynn Kolund

Bobzien: I would like to introduce Lynn Kolund, our new Ranger on the Hell Canyon Ranger District. Lynn has forestry background. Our summer trip will be in the Norbeck area. Some members have seen slide shows on this before. Forest health and habitat are very important out there.

Kolund: All of the Rangers on the Black Hills have at least two assignments as Rangers, I knew about travel management, but no one mentioned Norbeck! It's a difficult and unique area. The District has been working very hard on a draft EIS, working with the State as well. The date of the field trip is August 19. We'll look at the proposed wildlife treatment, and many other complexities.

I would propose that we go to look at the areas we have done treatment in the past, then go to areas we have treatment laid out, and see how things have progressed. With that, I don't want to go somewhere this Board doesn't want to go. Are there other areas we need to go? We have lots of hand piles for fuel reduction. Other than that, are there some areas that you as members of the Board would like to go?

Scherrer: What is your strategy on scheduling?

Kolund: We're planning a 9:00 a.m. pick up at the Mystic Office in Rapid City, we provide lunches, and back to Rapid City by 3:00 p.m., basically a six hour time frame. I would like to get out and walk around at some of the sites and see some things.

Carroll: The difference between this trip and the last trip we took to Norbeck is that this is going to be an actual look and walk around the area, not just an overlook. You'll see areas we have treated and areas we hope to treat.

Scherrer: For people like me and other newer members, I would suggest that we have the resource people on the bus, and I would like to see a review of the 12 species that are listed. It's important that we talk about the limitations that the Forest Service faces from when the Norbeck was established. This will add value during the time on the bus. We will come up with questions and we'll know more.

Blair: I want to see things that we can potentially make a difference on, things that if we need to write a letter or take action, we can do that.

Engelskirger: Will there be a fire person on the trip?

Kolund: Yes.

Kolund: We're looking forward to the trip; we'll have a good discussion.

Environmental Protection Agency Field Visit

Carroll: Special guests from EPA are with us, Bob would you like to introduce.

B.Thompson: We've been out today looking at projects with the EPA. They have a number of jobs, but they deal largely with reviewing NEPA projects. They have a legal responsibility to look at these projects and comment on them and give input.

The Members of the Team are:

Melanie Wasco - Lead among the three present. Melanie said she has been with EPA for about six years and with the NEPA review group for almost a year. Melanie has a Master's degree in environmental studies and has worked in the EPA water enforcement program.

Sarah Hester - Sarah came to EPA from an environmental consulting firm, which worked on oil and gas projects permitting for Federal Energy Regulatory Commission (FERC). Sarah has experience analyzing and researching information for NEPA documents. She has a Master's degree in Earth Sciences from the University of Northern Colorado. Sarah has been with EPA for about two months.

Molly Brodin - Molly has a Master's degree in Environmental Engineering from the University of Colorado with a specialty in air quality, and has studied ozone pollution at the mountain/urban interface. Molly has been with EPA for about two months.

Carroll: We are very fortunate on the Black Hills to have this National Forest Advisory Board, members appointed by the Secretary of Agriculture to make recommendations to the Forest Supervisor. They have been invaluable in advising the Forest Service on issues here on the Black Hills

Thom: This morning on the field trip we talked about travel management. What we didn't talk about was that this Board has been working for four years to help us figure out how to deal with travel management, and we have gotten a lot of information and help from this Board.

Scherrer: It's nice to put a face with the letters EPA, and know what you do.

Brannan: Rapid City is the only city in the State that has moved from "unclassified" to "attainment" in air quality ratings, which is a huge accomplishment. The folks in EPA Region 8 are a fabulous group.

Public Comments ~ Chairman Blair

Chair Blair: If anyone from the public wishes to address the Board, please do so.

Paterson: I would just like to comment that I didn't get in on the Biomass letter till it was done.

Brannan: We agreed at the last meeting that the group of four would do the letter and send it out to all when it was done.

Blair: I'm really pleased that we are only missing two people today. What a great turn out.

Hoyt: Frank, when you said the committee might go away in September? Aren't we chartered?

Carroll: The charter is in place. All of the current members must be re-nominated, and approved through the W.O.

Adjournment:

Chair Blair: If there is no other business to come before the Board the meeting is adjourned. Meeting adjourned at 4:45 p.m.

2009 Meeting Dates:

August 19 - Field Trip
September 16
October 21
November 18